Retail Marijuana Rulemaking Announcement

On May 28, 2013, Governor Hickenlooper signed into law several bills that address the implementation of Amendment 64, including laws related to the regulation of retail marijuana establishments by the State Licensing Authority. This information is intended to provide interested members of the public with an update regarding the State Licensing Authority's anticipated rulemaking activity over the next few months. The dates in this notice are subject to change.

Retail Marijuana Rulemaking – Two Stages

1. Temporary/Emergency Rulemaking

The State Licensing Authority will adopt temporary emergency rules to comply with the constitutional and statutory rulemaking deadlines of **July 1, 2013.**

Governor Hickenlooper established a Task Force that brought together a wide variety of stakeholders, heard extensive testimony from the public, and provided recommendations to the Governor, General Assembly, and Attorney General regarding implementation of Amendment 64. A special Joint Select Committee was convened to review the Task Force recommendations and draft legislation. Given the breadth and depth of the public participation in connection with the Task Force and the implementing legislation and the short time within which the State Licensing Authority is required to adopt emergency rules, there will not be opportunity for additional input from the public prior to **July 1**.

The State Licensing Authority will post the temporary emergency rules on its website: www.colorado.gov/revenue/amendment64 on or before **July 1, 2013**.

In accordance with the Administrative Procedure Act, section 24-4-103, C.R.S., the temporary emergency rules will be in effect for up to 120 days, during which time the State Licensing Authority will begin the formal, permanent rulemaking process.

2. Permanent Rulemaking

Beginning **July 1, 2013**, members of the public are encouraged to review the temporary emergency rules and participate in the permanent rulemaking process. The State Licensing Authority intends to promulgate rules in accordance with the following schedule:

- <u>July and early August</u> The State Licensing Authority will establish a representative group of participants with an interest in the subject of the rulemaking to provide input and the State Licensing Authority will make diligent attempts to solicit input from representatives of the various stakeholders groups affected by the rules. Further information about opportunities for participation by the public in the representative group meetings will be forthcoming.
- <u>July 15, 2013</u> Notice of Rulemaking to be filed with the Secretary of State identifying the hearing date. This Notice will also be posted to the State Licensing Authority's website.

- Week of August 19, 2013 The formal rulemaking hearing will occur. Public comment will be allowed during the hearing within reasonable time limitations.
- Written comments will be accepted from the public up to and including a date two business days following the public rulemaking hearing.

Any additional emergency or permanent rulemaking processes will be announced on the State Licensing Authority's website. Tax-related rules dealing with retail marijuana will be adopted through a separate rulemaking process.

See the State Administrative Procedure Act, section 24-4-103, C.R.S., for further information about the rulemaking process.